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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,089	02/11/2002	Masashi Mori	032404-025	1548

2292 7590 08/16/2004

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,089

Applicant(s)

MORI ET AL.

Examiner

Andy S. Rao

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Panusopone et al., (hereinafter referred to as "Panusopone").

Art Unit: 2613

Panusopone discloses a motion picture data converter (Panusopone: figure 3), comprising: an MPEG-2 decoding unit which decodes motion picture data an MPEG-2 format into motion picture data non-compressed format (Panusopone: column 5, lines 5-10); vector information from the motion picture data being decoded in said MPEG-2 decoding unit (Panusopone: column 7, lines 30-40); a motion compensation unit which generates the motion vector information in the MPEG-4 format, by causing extracted motion vector information to be reflected in the motion compensation processing for the MPEG-4 format (Panusopone: column 14, lines 55-68; column 15, lines 1-12), and executes motion compensation processing, using the generated motion vector information data in the MPEG-4 format (Panusopone: column 5, lines 13-60), using the motion compensation processed data output from said motion compensation unit and motion picture data in the non-compressed format decoded said MPEG-2 decoding unit (Panusopone: column 6, lines 25-55), as in claim 1.

Regarding claim 2, Panusopone discloses that the MPEG-4 encoding unit generates and outputs locally decoded motion picture data used in the motion compensation processing in said motion compensation unit, said motion picture data converter further comprises a display unit which simultaneously displays locally decoded motion picture data output from said MPEG-4 encoding unit and the motion picture data in the non-compressed format decoded in said MPEG-2 decoding unit (Panusopone: column 14, lines 43-65), as in the claim.

Regarding claim 3, Panusopone discloses a data multiplexing unit which multiplexes and outputs the motion picture data in the MPEG-2 from said MPEG-4 encoding unit (Panusopone: column 7, lines 1-10), as in the claim.

Panusopone discloses a computer program for making a computer (Panusopone: column 2, lines 60-65) convert motion picture data in an MPEG-2 format to motion picture data an MPEG-4 format (Panusopone: column 5, lines 5-10), the computer program making the computer execute the steps of: decoding motion picture data in an MPEG-2 format into motion picture data in extracting motion vector information from the motion picture data in a non-compressed format (Panusopone: column 5, lines 10-20) by causing the extracted motion vector information be reflected in the motion compensation processing for the MPEG-4 format (Panusopone: column 7, lines 30-40); performing motion compensation processing using the generate decoding motion picture data in the MPEG-4 format (Panusopone: column 14, lines 55-68), using the motion compensation processed data and the motion picture data the non-compressed format (Panusopone: column 15, lines 1-12), as in claim 4.

Regarding claim 5, Panusopone discloses the locally decoded motion picture data used in the motion compensation processing are generated and output, wherein the computer program further making the picture data and non-compressed format (Panusopone: column 14, lines 43-65), as in the claim.

Regarding claim 6, Panusopone discloses that the MPEG-2 format and the motion picture data the MPEG-4 format are output the encoding step (Panusopone: column 7, lines 1-10), as in the claim.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Demos discloses a moving image compression quality

Art Unit: 2613

enhancement using displacement filters with negative lobes. Lainema discloses a method for encoding and decoding video information, a motion compensated video encoder and a corresponding decoder. Vetro discloses a video transcoder with spatial resolution reduction. Etoh discloses a method and apparatus for the transforming moving picture coding system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andy S. Rao

Primary Examiner

Art Unit 2613

ANDY RAO
PRIMARY EXAMINER

asr

August 11, 2004